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6/11/03
PATENT APPLICATION
SERIAL NO.: 09/743,781
ATTORNEY DOCKET NO.: 4303-00806

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1614 :
In re application of :
Daniel PARIS et al. :
Serial No. 09/743,781 :
Filed March 28, 2001 :
Examiner – Cybille Delacroix Muirhei :

MODULATION OF THE
PHOSPHOLIPASE A2 PATHWAY AS A
THERAPEUTIC

Pittsburgh, Pennsylvania
June 4 2003

ELECTION

MAIL STOP NON-FEE AMENDMENT
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated March 4, 2003.

The Examiner has required election from among four groups of claims, as well as an election of species. Applicants elect the claims of Group I, namely, claims 1-3, with traverse, and further elect the species P38MAP kinase inhibitor, which is set forth in claim 13.

The traversal of the election of the claims of Group I, claims 1-3, is repeated and amplified below. Applicants respectfully traverse the restriction requirement. All of the groups of claims relate to modifying vasoactivity and pharmaceuticals therefor. Moreover, all claims

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on June 4, 2003.

Anna Rosenstein

(Typed Name of Person Mailing Papers)

Anna Rosenstein
Signature

6/4/03
Date

{W0062494.1}

are classified in similar and highly cross-referenced classes. Most importantly, the Examiner presumably agrees that the only truly effective way to search the present claims is with online database key word searching. Appropriately crafted key word searches will embrace all of the pending claims. Hence, it is respectfully submitted that restriction should not be required.


In summary, claims 1-21 should be examined together because they are all directed to active agents for modifying vasoactivity, and methods for modifying vasoactivity, all of which represent an invention which can and should be searched and examined at one time.

Examination and allowance of pending claims 1-21 are respectfully requested.

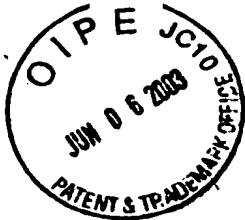
Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
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Attorney's Docket No. 4303-030806**ELECTION TRANSMITTAL LETTER****MAIL STOP NON-FEE AMENDMENT**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Serial No.: 09/743,781 Filing Date: March 28, 2001
Examiner: Cybill Delacroix Muirhe Group Art Unit: 1614
Invention: "Modulation of the Phospholipase A2 Pathway as a Therapeutic"

Transmitted herewith is an amendment in the above-identified application.

- ☒ Small entity status of this application has been averred.
A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
☒ No additional fee is required.
The fee has been calculated as shown below:

No. of Claims After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity Rate	Non-Small Entity Rate	Charge
Total <u>21</u>	<u>21</u>	<u>0</u> X	\$ 9.00 X	\$ 18.00	\$ <u>0</u>
Indep. <u>5</u>	<u>5</u>	<u>0</u> X	\$ 42.00 X	\$ 84.00	\$ <u>0</u>
First Presentation of Multiple Dep. Claim			+ \$140.00	+ \$280.00	\$ <u>0</u>
			Total Additional Fee		\$ <u>0</u>

- ☐ A check in the amount of \$_____ is enclosed to cover the filing fee.
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.
☒ Any additional filing fees required under 37 CFR 1.16.
☒ Any patent application processing fees under 37 CFR 1.17.

June 4, 2003

Date

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06/04/2003

Date